

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

and

CIVIL CASE NO. 01-40119

COUNTY OF WAYNE, MICHIGAN, STATE
OF LOUISIANA, and STATE OF
MINNESOTA

Plaintiff-Intervenors,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

v.

MARATHON ASHLAND PETROLEUM, LLC,

Defendant.

_____/

**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION TO ENTER THE FIRST
AMENDMENT TO THE AUGUST 2001 CONSENT DECREE**

Before the Court is Plaintiff United States of America's unopposed motion, filed on May 20, 2005, to enter the first amendment to the August 2001 consent decree. On March 11, 2005, Plaintiff filed a notice of lodging of the first amendment in accordance with 28 C.F.R. § 50.7. This was done in order to give the public an opportunity to comment on the proposed amendment. Notice of the lodging was also published in the Federal Register on March 23, 2005. 70 F.R. 14715.

Only one comment has been made regarding the proposed amendment. See Pl. Mot., Attachment 1. After reviewing the

comment, and the proposed amendment, the Court concludes that the proposed amendment is in the public interest and that the comment in no way alters this determination. Therefore, for this reason and the reasons stated in Plaintiff's unopposed motion, the Court will enter the first amendment to the August 2001 consent decree.

ACCORDINGLY, IT IS HEREBY ORDERED that Plaintiff's motion to enter the first amendment to the August 2001 consent decree [docket entry 21] is **GRANTED**.

SO ORDERED.

Dated: June 17, 2005

s/Paul V. Gadola
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on June 20, 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Ellen Christensen, Karen Hiyama, Annette Lang, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Hilda Gurley-Highgate.

s/Tammy Hallwood
Tammy Hallwood, Deputy Clerk
(810) 341-7845